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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,216

01/26/2004

Graeme McLintock

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7590

12/12/2006

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EXAMINER

TIMBLIN, ROBERT M

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/763,216	<b>Applicant(s)</b> MCLINTOCK, GRAEME	
	<b>Examiner</b> Robert M. Timblin	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This office action corresponds to application 10/763,216 filed 1/26/2004

Claims 1-7 have been examined and are pending prosecution. Response to arguments filed 9/26/2006 are found on page 6 of this document.

#### ***Specification***

The Examiner thanks the Applicant for the explanation of the objection to the word "in situ." Accordingly this is now understood to be a compound word and the objection to the specification is withdrawn.

#### ***Drawings***

With the amendment to the specification, the Examiner accepts the drawings.

#### ***Claim Rejections - 35 USC § 112***

As claim 7 is amended to introduce "identification data," the rejection for claim 7 lacking antecedent basis is now withdrawn.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by **Cordery et al.** ('Cordery') (US 5,682,429).

With respect to claim 1, **Cordery** teaches a method for automatically generating current distribution order data with the inclusion of central address directories (data center 910), which are stored in databases and are transmitted by electronic data transfer, as distribution order data, comprising the steps of:

**'locally copying a current central address directory or parts relating to a relevant area'** as a change of address database (fig. 4, 410 and describing paragraphs).

**'locally storing change instructions regarding a relative positional change for delivery points in the distribution order for a previous version of the central address directory or of the parts'** as a postal request file (col. 8 line 51-67 and fig. 6-7)

**'transferring the change instructions to the local copy of the current central address directory or parts'** (fig. 7A).

**'performing a check so as to determine whether the change instructions have already been implemented in the current address directory or whether the instructions yet to be executed'** (figure 6 and at least drawing references 706, 710, and 716 of figure 7A)

**'storing valid change instructions yet to be executed in an audit file'** as a postal request file (col. 8 line 51-67 and fig. 6-7)

**'executing the change instructions'** (fig. 7A, drawing reference 710)

With respect to claim 2 **Cordery** teaches **'the identification data additionally and locally incorporate house number extensions locally'** as a delivery point code (col. 9 line 55-59).

With respect to claim 3, **Cordery** teaches **'the identification data additionally and locally incorporate distinguishing remarks'** as a delivery address identifier (col. 9 line 48-55).

With respect to claim 5, **Cordery** teaches **'updating the central address directory or address directory parts by transmitting only incremental changes by data transfer** (drawing reference 634)

**'the changes being merged with the previously current and copied address directory or address directory part by using the identification data for each delivery point to check in the previously current address directory or address directory part whether the respective delivery point in the incremental change is already present, and if not, incorporating into the copied address directory or address directory part at the concomitantly transmitted position of the distribution order, and if so, moving the respective delivery point is moved to the changed position in the address directory'** (figure 6).

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With respect to claim 6, Cordery teaches **‘the move of a delivery point is implemented by deleting said delivery point at the previous position of the address directory and re-entering it at the changed position’** (drawing reference 634).

With respect to claim 7, Cordery teaches **‘identifying delivery points according to identification data comprising at least the sorting code’** (col. 11 line 40-51).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cordery in view of **Suzuki et al.** (‘Suzuki’) (US 2002/0010658 A1).

With respect to claim 4, Cordery fails to teach the limitation of incorporating distribution advice.

**Suzuki**, however, teaches **‘incorporating distribution advice’** as delivery instruction data (0054) for instructing the delivery of the merchandise..

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the distribution advice of Suzuki would have provided Cordery's system with data for instructing the delivery of merchandise (0054).

***Response to Arguments***

Applicant's arguments filed 9/29/2006 have been fully considered but they are not persuasive.

The Examiner appreciates the Applicant's explanation found on page 9 of the remarks for clarification of the present invention. The Examiner, however, submits that the Cordery reference still teaches the argued limitations as presented below:

On at least page 10 of the remarks, the Applicant submits the Cordery reference fails to teach the generation of distribution order data as taught in Claim 1. The Examiner respectfully disagrees as this limitation is still taught by Cordery.

For instance, in Cordery, the creation of a mailing list is taught (abstract). This correlates to the Applicant's distribution order as a mailing list contains address information. The list of addresses suggests an order of distribution. Furthermore, the system of Cordery is beneficial to a mailer as this information provides control of job run and other scheduling for optimization of delivery time (col. 16, lines 58-61). Further yet, customized mailing lists are provided based on market demographics (col. 16, lines 65-67).

Also, on page 10 of the remarks, the Applicant argues that the Cordery reference does not teach “identifying delivery points according to identification data comprising at least a sorting code.” The Examiner respectfully disagrees as a token for each mail piece (abstract) is received and sorted (col. 11, lines 40-45). The provided tokens are based in part on the destination of the mail (col. 11, lines 45-51). In summation, a sorting code is taught (i.e. the token).

On page 12 of the remarks, the Applicant argues that Cordery does not teach or suggest moving the delivery point from a previous position to a changed position. The Examiner submits that as the mailing list of Cordery is corrected and updated (abstract), and mail pieces are sorted based on destination being served (col. 11, lines 40-50), that the limitation of moving of delivery points from a previous position to a current position is still suggested.



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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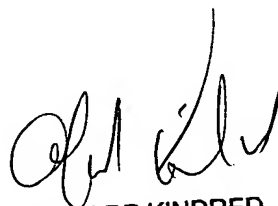
system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin



Patent Examiner AU 2167

11/29/2006



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PRIMARY EXAMINER